THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :6442 of 2007

DATED:30-03-2007

BETWEEN:

P.Laxman.

..... PETITIONER

AND

The Station House Officer,
Alwal Police Station, Alwal,
Rangareddy District & 3 others.

.....RESPONDENTS

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Home appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the respondents 1 and 2 in calling the petitioner to the police station frequently, interfering with his possession, abusing him in the police station etc., as illegal, and arbitrary, and consequently direct the respondents 3 and 4 to take disciplinary/departmental action against the respondents 1 and 2 for interfering with the life and liberty of the petitioner.

3. It is stated that the respondents 1 and 2 are illegally interfering with the life and liberty of the petitioner. Admittedly, the petitioner has not made any representation against the alleged illegal action of the respondents 1 and 2 before the Commissioner of Police, but he filed a complaint, dated 13-03-2007, making certain allegations against the landlady.

4. If no action has been taken based on the said complaint it is for the petitioner either to make a representation before the Commissioner of Police, or file a private complaint under Section 200 r/w 190 Cr.P.C. before the concerned Magistrate seeking appropriate action. But without taking any recourse under the Code

of Criminal Procedure filing the writ petition straightaway before this Court may not be just and proper. In view of the remedy available to the petitioner, I am not inclined to entertain this Writ Petition.

5. Accordingly, the Writ Petition is dismissed with a liberty to make a representation before the Commissioner of Police, or file a private complaint under Section 200 r/w 190 Cr.P.C. before the concerned Magistrate seeking appropriate action. No order as to costs.

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V.ESWARAIAH, J

30th March, 2007

Note:

Furnish C.C. of the order within two days.

B/o

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